

KAS

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED
2008 MAR -7 AM 9:54

UNITED STATES OF AMERICA,

Plaintiff,

v.

Maria ARROYO-Huerta

Defendant.

'08 MJ 07 26

Magistrate Case No. _____ BY FNH DEPUTY

COMPLAINT FOR VIOLATION OF

Title 8, U.S.C., Section
1324(a)(2)(B)(iii)-
Bringing in Illegal Aliens
Without Presentation

The undersigned complainant being duly sworn states:

On or about **March 6, 2008**, within the Southern District of California, defendant **Maria ARROYO-Huerta**, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that aliens, namely, **Romana FLORES**, **Marisela ROMAN-Gutierrez** and **Jose GALVAN-Salmeron** had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said aliens, and upon arrival did not bring and present said aliens immediately to an appropriate immigration officer at a designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii).

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


SIGNATURE OF COMPLAINANT
Sara Esparagoza United States Customs
and Border Protection Enforcement Officer

Sworn to before me and subscribed in my presence this **7th** day of **March 2008**.


UNITED STATES MAGISTRATE JUDGE

CATHY ANN BENCIVENGO
U.S. MAGISTRATE JUDGE

FAS

Probable Cause Statement

The complainant states that **Romana NAVA-Flores, Maricela ROMAN-Gutierrez and Jose Francisco GALVAN-Salmeron** are citizens of a country other than the United States; that said aliens have admitted they are deportable; that their testimony is material; that it is impractical to secure their attendance at trial by subpoena; and they are material witnesses in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On March 6, 2008 at approximately 1015 hours, a female later identified as **Maria ARROYO-Huerta (Defendant)** made application for entry into the United States from Mexico at the San Ysidro, California Port of Entry, vehicle primary lane twelve. Defendant was the driver and sole visible occupant of a white 2002 Dodge Stratus bearing California license plates 4RLM447. Defendant presented to a Customs and Border Protection (CBP) Officer a valid Permanent Resident Card (Form I-551) bearing the name Paula R. REBOLLAR-Cruz as her entry document. The Officer suspected Defendant was not the rightful owner of the document as Defendant did not resemble the photograph. The Officer subsequently escorted the vehicle and Defendant to secondary for further inspection.

In secondary, CBP Officers removed four adults and two minors from the trunk. All were identified as citizens of Mexico without entitlements to enter the United States. Three were retained as Material Witnesses and are now identified as **Romana NAVA-Flores, Maricela ROMAN-Gutierrez and Jose Francisco GALVAN-Salmeron (Material Witnesses)**.

During a videotaped proceeding Defendant was advised of her Miranda Rights. Defendant acknowledged her rights and agreed to answer questions without the benefit of counsel. Defendant denied knowledge of the undocumented aliens concealed in the vehicle. Defendant admitted, however, that she paid a reduced smuggling fee of \$1500.00 USD from \$3000.00 USD if she drove the vehicle the vehicle across the border.

Videotaped interviews were conducted with the Material Witnesses. Material Witnesses stated they are citizens of Mexico with no legal documents to enter the United States. Material Witnesses stated they made the smuggling arrangements with an unknown smuggler and paid fees ranging from \$2,500 to \$3,000 USD to be smuggled into the United States. Material Witnesses stated they intended to travel to the United States to seek employment or to reunite with their children.